

DETAILED ACTION

Request for Continued Examination

1. The request filed on May 3, 2010 for a Request for Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 10/796,681 is acceptable and a RCE has been established. An action on the RCE follows. Claims 7-27, 29-30, 33, 34 have been cancelled, and new claim 42 has been added. Claims 1-6, 28, 31, 32, 35-42 are pending.
2. In view of the argument filed May 3, 2010 and the affidavits filed December 9, 2009, the rejection of claims 1-6 rejected under 35 U.S.C. 112, first paragraph, is withdrawn. There is inadequate reason to support that the examiner's rationale that the difference in molecular weight would be a deterrent for (meth)acrylate to be functionally representing both methacrylate and acrylate, where the functional representation of (meth)acrylate has already been practiced in the art of methacrylate chemistry.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Mary K. Cameron (Registration No. 34,789) on June 4, 2010.

4. Cancel Claim 42.

Allowances

3. Claims 1-6, 28, 31, 32, 35-41 are allowed.
4. The following is an examiner's statement of reasons for allowance:

As of the date of this office action, the examiner has not located or identified any reference that can be used singularly or in combination with another reference including the closest prior art of Shustack (US Pat. 5,128,391), Shustack (US Pat. 5,128,387), Razavi (US Pat. 5,629,365), and Nagasawa et al. (US Pat. 4,205,018) to render the present invention anticipated or obvious to one of ordinary skill in the art. The prior art are silent on a composition comprising nanoparticulate aluminum oxide or hydrophobic silica that is present in highly dispersed form in the coating materials.

In light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William K Cheung whose telephone number is (571) 272-1097. The examiner can normally be reached on Monday-Friday 9:00AM to 2:00PM; 4:00PM to 8:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David WU can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/William K Cheung/
Primary Examiner, Art Unit 1796

William K. Cheung, Ph. D.
Primary Patent Examiner
June 4, 2010